

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

REINALDO AMILCAR RAMOS RAMOS  
AUREA IRIS VALENTIN SERRANO

DEBTORS

\*  
\* CASE NO. 10-00458 SEK  
\*  
\*  
\* CHAPTER 13  
\*

---

**DEBTORS' MOTION REQUESTING COURT AUTHORITY TO  
INCUR IN CREDIT/MORTGAGE MODIFICATION PROGRAM**

TO THE HONORABLE COURT:

NOW COME, **REINALDO AMILCAR RAMOS RAMOS** and **AUREA IRIS VALENTIN SERRANO**, debtors, through the undersigned attorney, and very respectfully state and pray as follows:

1. On January 28, 2010, the debtors filed the above captioned bankruptcy case under Chapter 13, 11 USC §§1301 et. seq. The debtors' proposed Plan was confirmed on April 20, 2010, docket no. 16 and the Court approved a post-confirmation modified Plan dated August 4, 2010, docket no. 21.

2. Secured creditor Doral Bank has offered debtors a mortgage loan modification under the Loss Mitigation Program, whereby the debtors will reduce their monthly mortgage loan payments from \$829.44 to \$747.05.

3. A copy of Doral Bank's modification offer is hereby attached to this motion, which final approval is pending the Court's disposition of this request for authority to incur in said post-petition mortgage loan modification.

4. The debtors need this modification in order to continue making current direct post-petition mortgage loan payments to Doral Bank on their residential real property.

5. The debtors are able to pay Doral Bank the sum of \$747.05 in order to pay the direct post-petition mortgage loan payments to said creditor.

6. The debtors are current in their confirmed Plan payments to the Trustee and respectfully understand that they have the financial ability to incur in the loan modification with Doral Bank to pay the \$747.05 per month, thus, they respectfully request that the Court grant them authorization to incur in this post-petition loan modification and continue with the closing of this loan modification with Doral Bank, which will allow them to retain possession of their real property.

7. The debtors hereby request authorization from the Court to:

a. incur in a post-petition mortgage loan modification with secured creditor Doral Bank.

8. Based on the aforementioned, debtors respectfully request this motion be granted and the Court enter an Order allowing debtors to incur in the post-petition loan modification as herein described. 11 U.S.C. Section 364; Rule 4001 (c) of the Federal Rules of Bankruptcy Procedure.

**WHEREFORE**, debtors respectfully request this Honorable Court grant the present motion authorizing this request to incur in post-petition loan modification, as herein submitted.

**NOTICE: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action that objects to the relief sought herein shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.**

I CERTIFY that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF filing system which will send notice of same to the Chapter 13 Trustee and all system participants; I also certify that a copy of this motion was sent via US Mail to the debtor; and to all creditors and parties in interest appearing in the master address list, hereby attached.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 22<sup>nd</sup> day of October, 2010.

/s/R. Figueroa Carrasquillo  
ROBERTO FIGUEROA CARRASQUILLO  
USDC #203624  
ATTORNEY FOR PETITIONERS  
PO BOX 193677 SAN JUAN PR 00919-3677  
TEL NO 787-744-7699 FAX 787-746-5294  
Email: [rfigueroa@prtc.net](mailto:rfigueroa@prtc.net)



**To:** Lcdo. Roberto Figueroa Carrasquillo  
**From:** **Maria Fuentes**  
**Agente de Loss Mitigation**  
**Subject:** **Caso: REINALDO RAMOS RAMOS 0070016767**  
**Date:** 10/13/2010

*El día de hoy 13 de octubre de 2010 se presento el Sr. Reinaldo Ramos en nuestras oficinas buscando alternativas para su propiedad. El préstamo # 70016767 que mantienen con nuestra institución están acogida a la protección de la ley quiebra. Como parte del procedimiento para establecer la alternativa se evaluó la situación financiera y se ofreció modificación . A continuación los detalles discutidos con el cliente:*

- *Términos en originales se queda iguales y los termino en la amortización también*

*Prevalecen de la misma forma.*

- **Número de cuenta 70016767**
- *Original loan - \$124,968.00*
- *Interés - 5.95%*
- *Pi - \$801.36*
- *Pago regular -\$829.44*
- *Nuevo pago aproximado- \$747.05 x 25 meses a 5.95%*

•

*Se le explico que para comenzar con el tramite de modificación , la cuenta debe Estar fuera del plan de la quiebra u obtener la autorización del Tribunal y someter los documentos de ingresos y gastos los números que le estamos informando en un pago aproximado.*

*Sin más en el particular queda de usted*

Att

*Maria Fuentes*  
Tel. (787) 474-6140

Agent Loss Mitigation